

UNCLASSIFIED

Current Class: [REDACTED]

Current Handling: n/a

Document Number: 1979BUENOS05450

7/5/79

3.1

Page: 1

Channel: n/a

Case Number: 200000044

PAGE 01 BUENOS 05450 01 OF 02 052201Z  
ACTION ARA-15

INFO OCT-01 EUR-12 IO-14 ADS-00 HA-05 TRSE-00 CIAE-00  
DODE-00 NSAE-00 NSCE-00 SSO-00 ICAE-00 INRE-00  
PM-05 H-01 INR-10 L-03 PA-01 SP-02 SS-15 /084 W  
-----072725 052217Z /62

O R 052121Z JUL 79

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC IMMEDIATE 1380

INFO AMEMBASSY ASUNCION

AMEMBASSY BRASILIA

AMEMBASSY LA PAZ

AMEMBASSY LONDON

AMEMBASSY MONTEVIDEO

USMISSION USUN NEW YORK

AMEMBASSY OSLO

AMEMBASSY SANTIAGO

USCINCSO QUARRY HTS CZ

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

( ) Release ☒ Excise ( ) Deny

Exemption(s): B1

Declassify: ☒ In Part ( ) In Full

☒ Classify as C ( ) Extend as    ( ) Downgrade to   

4/19/01 Declassify on 4/19/11 Reason 25X6

SECTION 1 OF 2 BUENOS AIRES 5450

E.O. 12065: GDS 7/2/86 (HALLMAN, WILLIAM H.) OR-P

TAGS: SHUM AR

SUBJ: (U) HARGUINDEGUY GIVES PEN STATISTICS

1. [REDACTED] INTRODUCTION AND SUMMARY. INTERIOR MINISTER HARGUINDEGUY OUTLINED KEY STATISTICS REGARDING PEN PRISONERS PRESENT AND PAST IN A PRESS CONFERENCE FRIDAY EVENING (JUN 29). HARGUINDEGUY ASSERTED THAT THERE WERE A TOTAL OF 1,723 PEN DETAINEES AS OF JUNE 28. A TOTAL OF 8,713 PERSONS HAVE BEEN PLACED UNDER PEN SINCE NOVEMBER OD 1974, HE SAID, OF WHICH NUMBER 5,913 HAVE BEEN REMOVED FROM THE PAN. EXTRAPOLATING FROM WHAT THE MINISTER SAID AND JUDGING BY OTHER INDICATORS (THERE ARE AN ESTIMATED 3,000 PERSONS NOW JAILED FOR OTHER THAN COMMON CRIMES). A NUMBER OF THESE 5,913 MAY HAVE BEEN PUT INTO THE "CHARGED" CATEGORY, SOME

PAGE 02 BUENOS 05450 01 OF 02 052201Z

Current Class: [REDACTED]

Page: 1

UNCLASSIFIED

Current Class: [REDACTED]  
Current Handling: n/a  
Document Number: 1979BUENOS05450

Page: 2  
Channel: n/a

Case Number: 200000044

TRIED AND CONVICTED, AND MANY OTHERS SIMPLY LET GO. THE MINISTER SAID THAT AT NO TIME HAD THE PEN LIST EXCEEDED 5,018 -- WHICH IT REACHED AT THE END OF 1976. ASKED WHETHER TIMERMAN MIGHT BE RELEASED THE MINISTER SAID THE MATTER WAS STRICTLY UP TO THE JUNTA. ASKED REGARDING THE DISAPPEARED HARGUINDEGUY ADMITTED THAT LISTS OF CLAIMED DISAPPEARANCES HAD BEEN RECEIVED AND TABULATED -- BUT THAT RELEASE OF A GOVERNMENT LIST WAS STILL UNDER CONSIDERATION. THE MINISTER REVEALED AT THE SAME TIME THE NAMES OF 190 PERSONS TAKEN OFF PEN DURING JUNE PLUS OTHER EXPELLED, "OPTION" OR GIVEN CONDITIONAL LIBERTY. THE MINISTERES REVELATIONS DID NOT ADDRESS THE TOTAL NUMBER OF PERSONS IMPRISONED AS A RESULT OF THE GOVERNMENTS ANTI-SUBVERSION EFFORTS, AND A NUMBER OF DIFFICULT AND IMPORTANT ISSUES REMAIN UNRESOLVED. CATEGORIES OF PRISONERS OVERLAP AND WE BELIEVE THERE IS STILL A STATISITICAL TANGLE, BUT THE GOVERNMENTS EFFORT TO ATTACK THE COMPLEX ISSUE AND CREATE AN IMPROVED DATA BASE ARE ENCOURAGING. END INTRODUCTION AND SUMMARY.

2. (U) MINISTER OF INTERIOR HARGUINDEGUY LAST FRIDAY EVENING (JUNE 29) ANNOUNCED THAT THERE ARE PRESENTLY 1,723 PERSONS HELD UNDER PEN. IN A HASTILY ARRANGED PRESS CONFERENCE TO WHICH ARGENTINE AND FOREIGN JOURNALISTS WERE INVITED THE MINISTER MADE THE FOLLOWING POINTS:

A. BETWEEN NOVEMBER 4, 1974 AND JUNE 28, 1979 THERE WAS A TOTAL OF 8,713 PEN ARRESTS. OF THIS NUMBER TOTAL OF 5,913 PERSONS WERE DROPPED FROM THE PEN, FOR A NET DIFFERENCE OF 2,800. ALTHOUGH THERE WERE QUESTIONS FROM THE JOURNALISTS GROUP WHETHER ALL THE 5,913 PERSONS DROPPED FROM PEN HAD BEEN RELEASED, AND IF NOT THEN WHAT PERCENTAGE WAS FREE, HARGUINDEGUY WOULD

[REDACTED]

[REDACTED]

PAGE 03 BUENOS 05450 01 OF 02 052201Z

NOT ELABORATE. HE DID AGREE HOWEVER TO ASK OF THE MINISTRY OF JUSTICE HOW MANY OF THOSE PERSONS "CHARGED" (SEE "G" BELOW) HAD BEEN ACQUITTED, HOW MANY MIGHT HAVE BEEN SENTENCED BUT NOW HAVE APPEALS PENDING, AND TO GIVE OTHER DTAILES REGARDING THE "PROCESADO" NUMBER OF 3,876.

3. OF THIS 2,800 FIGURE 1,723 REMAIN UNDER PEN WHILE 1,077 PERSONS HAVE EXPERIENCED THE FOLLOW-

Current Class: [REDACTED]

Page: 2

UNCLASSIFIED

Current Class: [REDACTED]  
Current Handling: n/a  
Document Number: 1979BUENOS05450

Page: 3  
Channel: n/a

Case Number: 200000044

ING DISPOSITIONS: 160 ARE UNDER CONDITIONAL LIBERTY, 12 ARE UNDER HOUSE ARREST, 713 HAVE TAKEN THE RIGHT OF OPTION AND 192 PERSONS HAVE BEEN EXPELLED FROM ARGENTINA.

C. UNDER RIGHT OF OPTION THE MINISTER CLAIMED THAT :378 PERSONS EXITED THE COUNTRY UNDER RULES APPLICABLE AT THAT TIME BETWEEN NOVEMBER 4, 1974 AND MARCH 24, 1976 (ARTICLE 23 OF THE CONSTITUTION AND LAW NUMBER 21.275) 169 LEFT BETWEEN OCTOBER 27, 1976 AND SEPTEMBER 27, 1977 UNDER THE REGULATION GOVERNING OPTION OF THAT TIME (LAW 21.449); 166 PERSONS HAVE LEFT UNDER MOST RECENT REGULATIONS (LAW 21.659), BETWEEN SEPTEMBER 27, 1977 AND JUNE 28, 1979 - THE DAY PRIOR TO HARGUINDEGUYS ANNOUNCEMENT. TOTAL: 713.

D. UNDER MOST RECENT OPTION REGULATIONS, IN ADDITION TO THE 166 PERSONS ALREADY GRANTED OPTION 38 HAVE BEEN "POSTPONED" BECAUSE OF OBJECTIONS TO OPTIOINS BEING GRANTED AND 278 ARE "IN PROCESS" FOR WHICH ANSWER MUST BE GIVEN WITHIN 120 DAYS.

E. REGARDING OPTIONS GRANTED UNDER MOST RECENT RULES, HARGUINDEGUY'S ANNOUNCEMENT STATES THAT 10 HAVE BEEN ISSUED FOR PERSONS WHO TRAVELD TO THE

NNN

PAGE 01 BUENOS 05450 02 OF 02 052225Z  
ACTION ARA-15

INFO OCT-01 EUR-12 IO-14 ADS-00 HA-05 TRSE-00 CIAE-00  
DODE-00 NSAE-00 NSCE-00 SSO-00 ICAE-00 INRE-00  
PM-05 H-01 INR-10 L-03 PA-01 SP-02 SS-15 /084 W  
-----073126 052228Z /62

OR 052121Z JUL 79  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC IMMEDIATE 1381  
INFO T EMBASSY ASUNCION 4613  
MEMBASSY BRASILIA  
MEMBASSY LA PAZ  
MEMBASSY LONDON  
MEMBASSY MONTEVIDEO  
MISSION USUN NEW YORK  
MEMBASSY OSLO

Current Class: [REDACTED]

Page: 3

DECLASSIFIED

Current Class: [REDACTED]  
Current Handling: n/a  
Document Number: 1979BUENOS05450

Page: 4  
Channel: n/a

Case Number: 200000044

AMEMBASSY SANTIAGO  
USCINCSO QUARRY HTS CZ

[REDACTED] SECTION 2 OF 2 BUENOS AIRES 5450

UNDER STATES WHILE 47 ARE UNDER CONSIDERATION. IN A SEPARATE COLUMN IT IS NOTED THAT 2 FOREIGN NATIONALS WERE EXPELLED TO THE UNITED STATES. COMMENT: THE TWO "FOREIGN NATIONALS" ARE UNDOUBTEDLY THE PANERO SISTERS (ACTUALLY DUAL NATIONALS). BY ONE METHOD OF COUNTING 10 IS A REASONABLE NUMBER. ALTHOUGH THE EMBASSY HAS ISSUED SOME 120 CERTIFICATES WE BELIEVE NOT ALL HAVE BEEN PRESENTED, OTHER CASES ARE NOT DOCUMENTED TO A POINT THE ARGENTINES CONSIDER "IN PROCESS," AND OTHER CERTIFICATES WERE ISSUED TO PERSONS WHO ALSO PRESENTED CERTIFICATES FROM OTHER COUNTRIES -- IN WHICH CASE THE GOA COUNTS THAT CERTIFICATE ISSUED EARLIEST.

F. LEADING "OPTION" RECIPIENTS WE  
E SPAIN (45)  
AND ITALY (34). SWEDEN IS NEXT WITH 19. ISRAEL

PAGE 02 BUENOS 05450 02 OF 02 052225Z

HAS RECEIVED 9, WEST GERMANY 7 AND FRANCE 6. OTHERS WERE SPREAD OVER A NUMBER OF EUROPEAN COUNTRIES, LATIN AMERICA AND ONE PERSON WAS REPORTED "OPTIONED" TO SENEGAL.

G. HARGUINDEGUY ALSO ANNOUNCED THAT BETWEEN NOVEMBER 4, 1975 AND JUNE 28 A TOTAL OF 3,876 PERSONS HAVE BEEN CHARGED AND 592 OTHERS HAVE BEEN FOUND GUILTY AND SENTENCED. OF THESE FIGURES: 829 PERSONS WERE CHARGED BETWEEN NOVEMBER 4, 1974 AND MARCH 23, 1976 AND ANOTHER 5 WERE CONVICTED. 1,996 PERSONS WERE CHARGED BETWEEN MARCH 24, 1976 AND DECEMBER 31, 1976 AND ANOTHER 24 WERE CONVICTED; DURING 1977 941 PERSONS WERE CHARGED AND ANOTHER 287 WERE CONVICTED; DURING 1978, SEVENTY-EIGHT PERSONS WERE CHARGED AND 230 CONVICTED; THUS FAR IN 1979 32 PERSONS WERE CHARGED, ANOTHER 46 CONVICTED.

3. (U) DURING HIS STATEMENT HARGUINDEGUY ELABORATE THAT 190 PERSONS WERE REMOVED FROM PEN BETWEEN JUNE 1 AND JUNE 28, 1979. TWO OTHER PERSONS WERE EXPELLED, 47

Current Class: [REDACTED]

Page: 4

DECLASSIFIED

DECLASSIFIED

Current Class: [REDACTED]  
Current Handling: n/a  
Document Number: 1979BUENOS05450

Page: 5  
Channel: n/a

Case Number: 200000044

WERE GRANTED CONDITIONAL LIBERTY ("LIBERTAD VIGILIADA"), AND 9 WERE GRANTED PERMISSION TO LEAVE ARGENTINA UNDER RIGHT OF OPTION. OF THE PERSONS REMOVED FROM PEN SIX WERE HIGH US INTEREST CASES (ARANDA, CARLOS RAUL; FALABELLA DE ESCALONA, MIRTA I.; RICARDO FORTUNATO; MORENO, ELIZA HAYDEE; RODRIGUEZ DE CAIRE, LUIS INEZ; SNATOS, JESUS). TWENTY-NINE OTHERS FIGURED ON EMBASSY LISTS. OF PERSONS AUTHORIZED TO LEAVE THE COUNTRY FOUR WERE HIGH US INTEREST CASES (BITERSKI, TOMAS JOSE; ESTEVAO, JOSEV GONZALEZ, PABLO DANIEL; ROBINSON, JOSE LUIS) AND THREE OTHERS FIGURED ON EMBASSY LISTS. OF PERSONS PASSED TO SUPERVISED LIBERTY GIVE WERE HIGH US INTEREST CASES (BIRT SILVESTER, GUILLERMO ALBERTO; [REDACTED]  
[REDACTED]

PAGE 03 BUENOS 05450 02 OF 02 052225Z

BONZANO DE ROBLES URQUIZA, MARIA TERESA; MACCIO, ANA MARIA; MARTINEZ, IRENE LEONOR; QUIROGA, JUAN FACUNDO). (NOTE: IN THOSE CASES INVOLVING CONGRESSIONAL INTEREST THE EMBASSY IS PREPARING "H PASS" CABLES.)

4. [REDACTED] EMBASSY COMMENT: AN IMPORTANT QUESTION HARGUINDEGUY'S ANNOUNCEMENT DID NOT ADDRESS DESPITE QUESTIONS IS THE DISPOSITION OF THOSE 5,913 PEOPLE WHO HAVE BEEN TAKEN OFF THE PEN ROLLS. A LARGE NUMBER -- WE DO NOT KNOW YET HOW MANY -- HAVE SIMPLY BEEN RELEASED. (HARGUINDEGUY ONLY EXPLAINED THE DISPOSITION OF THE 2,800 PEOPLE WHO MAKE UP THE DIFFERENCE BETWEEN TOTAL PEN DETENTIONS MINUS THE TOTAL "CESES DE PEN" -- 1,723 WHO ARE STILL UNDER PEN AND THE 1,077 PEOPLE WHO HAVE LEFT UNDER THE OPTIOPN PROGRAM, HAVE BEEN EXPELLED, ARE UNDER CONDITIONAL LIBERTY OR UNDER HOUSE ARREST.)

5. WE BELIEVE THAT A SIGNIFICANT NUMBER OF THE 1,723 "OFFICIAL" PEN PRISONERS HARUGUINDEGUY ANNOUNCED ARE ALSO AMONG THOSE CHARGED OFFICIALLY ("PROCESADO") -- BUT WE SUSPECT ALSO THAT THERE ARE NUMBERS OF "PROCESADOS" WHO ARE STILL JAILED AND IN FACT ARE LABELLED "PEN PRISONERS" IN ONE OF SEVERAL CATEGORIES BUT WHO MAY NOT FIGURES IN THE TOTAL OF 1,723, JUST AS THERE ARE PERSONS SENTENCED ("CONDENADOS") WHO HAVE COMPLETED THEIR SENTENCE AND THEN HAVE CONTINUED TO BE HELD AS PEN PRISONERS. THIS ACCORDS WITH OBSERVATIONS OF THE EMBASSY OFFICER WHO VISITS PRISONS IN CONNECTION ARGENTINA'S RIGHT

Current Class: [REDACTED]

Page: 5

UNCLASSIFIED

Current Class: [REDACTED]  
Current Handling: n/a  
Document Number: 1979BUENOS05450

Page: 6  
Channel: n/a

Case Number: 200000044

OF OPTION PROGRAM AND THE US HEMIPHERE REFUGEE PROGRAM, AND ALSO WITH DATA GIVEN US BY THE INTERNATIONAL RED CROSS (STRICTLY PROTECT).

6. ( ) TOGETHER THOSE TWO SOURCES ESTIMATE A TOTAL PRISON POPULATION OF JUST UNDER 3,000 FOR PERSONS INVOLVED IN INCIDENTS OR CHARGES CONNECTED WITH THE GOVERNMENTS REPRESSION OF SUBVERSION-TERRORISM --  
[REDACTED]  
[REDACTED]

PAGE 04 BUENOS 05450 02 OF 02 052225Z

1,200 TO 1,400 IN LA PLATA, SOME 500 IN CASEROS, BETWEEN FOUR AND SIX HUNDRED AT DEVOTO AND 290 AT RAWSON, PLUS "POCKETS" OF PRISONERS IN CORDOBA, RESISTENCIA AND OTHER JAILS. MOST OF THOSE STILL HELD IN THE SMALLER JAILS ARE UNDER THE DISPOSITION OF MILITARY AUTHORITIES, THE "DAM'S," ACCORDING TO [REDACTED] -- WHO ALSO SAID THAT IN DEALING WITH THE MINISTRY OF INTERIOR THERE IS ALWAYS A LIVELY INTEREST IN FINDING OUT EVERYTHING POSSIBLE ABOUT THESE CASES, SINCE MILITARY AUTHORITIES IN THE FIELD HOLD BACK INFORMATION REGARDING THOSE PRISONERS THEY STILL MAINTAIN. [REDACTED] ESTIMATES THAT THERE ARE SOME 150-250 "DAM" PRISONERS.

B1

B1

7. ( ) THIS WHOLE QUESTION, WHICH ALSO RELATES TO MILITARY "COUNCILS OF WAR" PRISONERS (WHO USUALLY ARE UNDER PEN, BUT NOT ALWAYS), IS ONE OF SEVERAL WHICH CONTINUE TO MUDDY PRISONER STATISTICS. THERE ARE BESIDES A LARGE VARIETY OF PEN CATEGORIES THAT MAKE STATISTICS DIFFICULT TO INTERPRET -- PERSONS UNDER CHARGE OF A FEDERAL JUDGE, SOME UNDER PEN AND SOME NOT, PERSONS UNDER CHARGE OF A PROVINCIAL JUDGE, SOME UNDER PEN AND SOME NOT, AND "ECONOMIC PRISONERS" UNDER MILITARY AUTHORITY BUT, USUALLY, NOT UNDER PEN.

8. ( ) DESPITE THESE RESERVATIONS IT LOOKS TO US AS THOUGH THE GOVERNMENT HAS MADE A GENUINE ATTEMPT AT MAKING SENSE OF A COMPLEX PATTERN OF IMPRISONMENTS - A PATTERN THAT GREW OUT OF THE HASTE AND LAXITY, HARD HEADEDNESS AND EVEN DELIBERATE CRUELTY IN A SYSTEM OF REPRESSION THAT RECOGNIZED NO BOUNDARIES AND WAS DIFFUSE AND DELEGATED. THIS IS PROGRESS AND DEMONSTRATES GOOD INTENTIONS. IT ALSO ESTABLISHES NEW BASE POINTS FROM WHICH TO FORM

Current Class: [REDACTED]

Page: 6

UNCLASSIFIED

Current Class: [REDACTED]  
Current Handling: n/a  
Document Number: 1979BUENOS05450

DECLASSIFIED

Page: 7  
Channel: n/a

Case Number: 200000044

[REDACTED]  
[REDACTED]  
PAGE 05 BUENOS 05450 02 OF 02 052225Z

FURTHER INQUIRIES AND INVESTIGATIONS.  
CASTRO  
[REDACTED]

NNN

Current Class: [REDACTED]

Page: 7

DECLASSIFIED